

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
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This document relates to:

Kathleen Ashton, et al v. Al Qaeda Islamic Army, et al., Case No. 02-cv-06977
Federal Insurance Co., et al. v. Al Qaida, et al., Case No. 03-cv-06978
Thomas Burnett, Sr., at al. v. Al Baraka Inv. & Dev. Corp., et al., Case No. 03-cv-09849
Estate of John P. O'Neill, Sr., et al. v. Al Baraka, et al., Case No. 04-cv-01923
Continental Casualty Co., et al. v. Al Qaeda, et al., Case No. 04-cv-05970
Cantor Fitzgerald & Co., et al. v. Akida Bank Private Ltd., et al., Case No. 04-cv-07065
Euro Brokers, Inc., et al. v. Al Baraka, et al., Case No. 04-cv-07279

**PLAINTIFFS' MOTION TO COMPEL DEFENDANT YASIN ABDULLAH KADI TO
PROVIDE DOCUMENTS AND TESTIMONY CONCERNING HIS EFFORTS TO
RESPOND TO PLAINTIFFS' REQUESTS FOR PRODUCTION OF DOCUMENTS**

Pursuant to the Federal Rules of Civil Procedure, plaintiffs hereby move this Honorable Court for an order compelling Yasin Abdullah Kadi ("Kadi") to undertake assiduous efforts to secure and produce documents responsive to plaintiffs' discovery requests, including but not limited, to his corporate records, banking records, travel records, emails and other communications related to him and the identified Kadi charities and entities related to him that are in his possession, custody or control that reflect (1) business and money transfers within or to or from the Sudan for any of the businesses or accounts related to Osama bin Laden (OBL) and/or al Qaeda from 1996 to 2001 including but limited to entities such as Rowad, Solano and Dan Fodio; (2) any documents related to the Kingdom of Saudi Arabia's investigation of Kadi, his petition to the Kingdom of Saudi Arabia (KSA) and the KSA response to have him delisted

from the KSA designated list of terrorist supporters, including but not limited to, any and all documentation and information that the KSA had that it relied on to freeze his assets and list him as a terrorist; (3) all documents concerning KA Stan from 1996 to 2001 and its relationship and transactions with the Saudi High Commission (“SHC”) as well as transactions via al Baraka Bank in Turkey; and (4) production of documents and withdrawals of redactions for documents identified on the Kadi privilege log and/or supply information to establish the privilege.

Specific requests are identified in the Memorandum of Law filed in support of this motion. In the context of proceedings relating to plaintiffs’ earlier requests for documents directed to defendant Kadi, his counsel represented to plaintiffs that he provided all responsive documents he had, other than those identified in his privilege log, and that he was not in possession of any business or banking records or KSA investigative records. A substantial number of documents were produced after Kadi made a similar representation in 2014.

Plaintiffs seek an order compelling him to produce all responsive documents.

Dated: December 1, 2017

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of Plaintiffs' Motion to Compel and Memorandum of Law in Support of Plaintiffs' Motion to Compel Defendant Yasin Kadi to Produce Documents and Provide Testimony Concerning His Efforts to Respond to Plaintiffs' Discovery, was filed electronically this 1st day of December 2017. Notice of this filing will be served upon all parties in 03 MDL 1570 by operation of the Southern District of New York's Electronic Case Filing ("ECF") system, which all parties may access.

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